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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION

11 WALTER JONES,

12 Plaintiff,

13 vs.

14 EXPERIAN INFORMATION SOLUTIONS,
15 INC.; et. al.,

16 Defendants.

Federal Case No.: 3:16-CV-05683-JD

**PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL OF DEFENDANT PROSPER
MARKETPLACE, INC. PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(A)(1)**

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19 **PLEASE TAKE NOTICE** that Plaintiff Walter Jones, pursuant to Federal Rule of Civil
20 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Prosper Marketplace, Inc. as to all
21 claims in this action, with prejudice.

22 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

23 41(a) Voluntary Dismissal

24 (1) By the Plaintiff

25 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any
26 applicable federal statute, the plaintiff may dismiss an action without a court
27 order by filing:

28 (1) a notice of dismissal before the opposing party serves either an answer

1 or a motion for summary judgment.

2 Defendant Prosper Marketplace, Inc. has neither answered Plaintiff's Complaint, nor filed
3 a motion for summary judgment. Accordingly, the matter may be dismissed against it for all
4 purposes and without an Order of the Court.

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6 Dated: November 10, 2016

Sagaria Law, P.C.

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8 By: /s/ Elliot W. Gale
Elliot W. Gale
9 Attorneys for Plaintiff
Walter Jones
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